

SilvermanAcampora LLP  
Proposed Counsel to Marianne T. O'Toole, Chapter 7 Trustee  
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Jericho, New York 11753  
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Ronald J. Friedman, Esq.

Hearing Date: August 26, 2010  
Time: 2:30 p.m.  
Objection Due Date: August 23, 2010  
Time: 4:00 p.m.

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
In re:

Chapter 7

ENVIRONMENTAL POWER CORPORATION,

Case No. 10-23524 (RDD)

Debtor.  
-----X

In re:

Chapter 7

MICROGY HOLDINGS, LLC,

Case No. 10-23525 (RDD)

Debtor.  
-----X

In re:

Chapter 7

MICROGY, INC.,

Case No. 10-23526 (RDD)

Debtor.  
-----X

In re:

Chapter 7

MICROGY GRAND ISLAND, LLC,

Case No. 10-23527 (RDD)

Debtor.  
-----X

In re:

Chapter 7

MICROGY RED TOP, LLC,

Case No. 10-23530 (RDD)

Debtor.  
-----X

In re:

Chapter 7

MICROGY BOVINA, LLC,

Case No. 10-23531 (RDD)

Debtor.  
-----X

-----X  
In re:

MICROGY CONSTRUCTION, LLC,

Debtor.  
-----X

Chapter 7

Case No. 10-23532 (RDD)

In re:-----X

MICROGY O AND M, LLC,

Debtor.  
-----X

Chapter 7

Case No. 10-23533 (RDD)

In re:-----X

MST ESTATES, LLC,

Debtor.  
-----X

Chapter 7

Case No. 10-23534 (RDD)

In re:-----X

MST GP, LLC,

Debtor.  
-----X

Chapter 7

Case No. 10-23535 (RDD)

In re:-----X

RIO LECHE ESTATES, LLC,

Debtor.  
-----X

Chapter 7

Case No. 10-23537 (RDD)

In re:-----X

MST PRODUCTION, LTD.,

Debtor.  
-----X

Chapter 7

Case No. 10-23538 (RDD)

In re:-----X

MISSION BIOGAS, LLC,

Debtor.  
-----X

Chapter 7

Case No. 10-23539 (RDD)

In re:-----X

HEREFORD BIOGAS, LLC,

Debtor.  
-----X

Chapter 7

Case No. 10-23540 (RDD)

-----X  
In re:

Chapter 7

MICROGY RIVERDALE, LLC,

Case No. 10-23541 (RDD)

Debtor.  
-----X

In re:

Chapter 7

MICROGY HANFORD, LLC,

Case No. 10-23542 (RDD)

Debtor.  
-----X

**TRUSTEE'S MOTION FOR ORDER DIRECTING JOINT  
ADMINISTRATION OF THE ABOVE-CAPTIONED CASES PURSUANT TO  
RULE 1015(b) OF THE FEDERAL RULES OF BANKRUPTCY PROCEDURE**

Upon the motion (the "Motion") of Marianne T. O'Toole, the chapter 7 Trustee (the "Trustee"), by her proposed counsel, SilvermanAcampora LLP, respectfully represents:

**BACKGROUND**

1. On July 29, 2010, Environmental Power Corporation, Microgy Holdings, LLC, Microgy, Inc., Microgy Grand Island, LLC, Microgy Red Top, LLC, Microgy Bovina, LLC, Microgy Construction, LLC, Microgy O and M, LLC, MST Estates, LLC, MST GP, LLC, Rio Leche Estates, LLC, MST Production, Ltd., Mission Biogas, LLC, Hereford Biogas, LLC, Microgy Riverdale, LLC, and Microgy Hanford, LLC filed voluntary petitions in this Court.

2. On July 30, 2010, Marianne T. O'Toole was appointed to oversee the liquidation of the Debtors' estates.

3. The Court has subject matter jurisdiction to consider this matter pursuant to 28 U.S.C. §1334. This is a core proceeding pursuant to 28 U.S.C. §157(b)(2) and may be determined by the Bankruptcy Court. Venue is proper before this Court pursuant to 28 U.S.C. §§1408 and 1409.

**RELIEF REQUESTED**

4. By this Motion, the Trustee seeks an entry of an order directing joint administration of these cases for procedural purposes only, pursuant to Rule 1015(b) of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules").

5. Bankruptcy Rule 1015(b) provides, in relevant part, that if "two or more petitions are pending in the same court by or against ... a debtor and an affiliate, the court may order joint administration of the estates." Fed. R. Bankr. P. 1015(b). The Debtors are *affiliates* as that term is defined by Bankruptcy Code section 101. Thus, joint administration of the Debtors' cases is appropriate.

6. Joint administration is warranted and will avoid the preparation and replication of duplicative notices, applications and orders, thereby saving the estates considerable expenses and resources. The Debtors' businesses and assets are closely related and many of the motions made on behalf of the Debtors will affect each Debtor.

7. In addition, the Trustee respectfully requests that the caption of these cases be modified to reflect the joint administration of these filed cases, as follows:

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
In re:

ENVIRONMENTAL POWER CORPORATION, et al.

Debtors.  
-----X

Chapter 7  
Case No. 10-23524 (RDD)  
(Jointly Administered)

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8. The Trustee also requests that a docket entry be made in each of the above-captioned cases substantially as follows:

An order has been entered in this case directing the procedural consolidation and joint administration of this matter with Environmental Power Corporation, and that all further pleadings and other papers are filed in, and all further docket entries are made in Case No. 10-23524 (RDD).

### **CONCLUSION**

9. Pursuant to Local Rule 9013-1(b), the Trustee respectfully requests that the Court waive the requirement that the Trustee file a separate memorandum of law in support of this Motion because the Motion does not present any novel issues of law.

10. The Trustee has served notice of this Motion on (i) the Office of the United States Trustee, (ii) the top twenty creditors of each Debtor, and (iii) any parties having filed a notice of appearance.

11. No previous request for relief sought herein has been made by the Trustee to this or any other Court.

WHEREFORE the Trustee respectfully requests the Court grant the Motion and grant the Trustee such additional relief as is just and proper.

Dated: Jericho, New York  
August 3, 2010

**SILVERMANACAMPORA LLP**  
Proposed Attorneys for the Chapter 7 Trustee

By: 

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